

Title VI Complaint Procedures

This document outlines the Title VI complaint procedures related to providing programs, services, and benefits. However, it does not deny the complainant the right to file formal complaints with the California Department of Transportation, the Secretary of the US Department of Transportation, Equal Employment Opportunity Commission (EEOC), Federal Highway Administration (FHWA), Federal Transit Administration (FTA), or to seek private counsel for complaints alleging discrimination, intimidation or retaliation of any kind that is prohibited by law.

Title VI of the Civil Rights Act of 1964 requires that no person in the United States, on the grounds of race, color or national origin be excluded from, be denied the benefits of, or be subjected to discrimination, under any program or activity receiving federal financial assistance.

Procedure

1. Any person who believes that they have been subjected to discrimination may file a written complaint with the San Francisco Bay Area Rapid Transit District-Office of Civil Rights. Federal and State law requires complaints be filed within one-hundred eighty (180) calendar days of the last alleged incident.
2. The complainant may download the complaint form from www.bart.gov or request the complaint form from the Office of Civil Rights (OCR). The complainant may also submit a written statement that contains all of the information identified in Section 3 a through f below.
3. The complaint will include the following information:
 - a. Name, address, and telephone number of the complainant.
 - b. The basis of the complaint; i.e., race, color, national origin, sex, elderly or disabled.
 - c. The date or dates on which the alleged discriminatory event or events occurred.
 - d. The nature of the incident that led the complainant to feel discrimination was a factor.
 - e. Names, addresses and telephone numbers of persons who may have knowledge of the event.
 - f. Other agencies or courts where complaint may have been filed and a contact name.
 - g. Complainant's signature and date.
 - h. If the complainant is unable to write a complaint, OCR staff will assist the complainant. If requested by complainant, OCR will provide a language or sign interpreter.

- i. The complaint may be sent or faxed to the following address:

Office of Civil Rights
300 Lakeside Drive, Suite 1800
Oakland, CA 94612
(510) 464-6100
(510) 464-7587 (fax)

- j. The complaint may be sent via email to eeo@bart.gov.

- k. Complainants have the right to complain directly to the appropriate federal agency however, they must do so within one-hundred eighty (180) calendar days of the last alleged incident.

4. OCR will begin an investigation within fifteen (15) working days of receipt of a complaint.

5. OCR will contact the complainant in writing no later than thirty (30) working days after receipt of complaint for additional information, if needed to investigate the complaint. If the complainant fails to provide the requested information in a timely basis, OCR may administratively close the complaint.

6. OCR will complete the investigation within ninety (90) days of receipt of the complaint. A written investigation report will be prepared by the investigator. The report shall include a summary description of the incident, findings and recommendations for disposition.

7. The Department Manager of OCR will review the report. A closing letter and exit interview will be provided to the complainant. The respondent will also receive a copy of the closing letter. Each will have five (5) working days from receipt of the report to respond. If either party responds negatively or has additional information to provide, an informal meeting will be arranged by the Department Manager of OCR. If neither party responds, the complaint will be closed.

8. The investigation report with recommendations and corrective actions taken will be forwarded to the appropriate federal agency, the complainant and the respondent.

9. OCR will advise complainants of their appeal rights to the appropriate federal agency.